

APPENDIX B

ALTERNATIVE LAND USE PRACTICES

Transfer of Development Rights (TDR) Program

The Transfer of Development Rights (TDR) Program is an innovative concept that directs new growth to centralized areas where adequate services can be provided at a reasonable cost while preserving prime agricultural land and other environmentally significant areas as permanent open space.

Under the TDR program, landowners would be provided the opportunity to transfer their “development rights” from all or portions of their land to another area. The landowner’s “development rights” are determined by applying the Town’s density policy to contiguous lands under one ownership, which are typically referred to as “sending areas”. “Sending areas” are properties with prime agricultural soils and significant environmental features that add to Sumpter’s farming tradition and rural character. These areas are protected from future development by “transferring” the development rights to areas that are appropriate for concentrated development with sufficient infrastructure to support the residential uses. The areas that receive the development rights are typically referred to as the “receiving area”.

Based on the discussions and input provided throughout the Sumpter Comprehensive Planning process, the “receiving area” would be designated as a subdivision area on primarily nonprime agricultural soils in centralized areas within the Town. The subdivision (receiving area) would be required to provide community well and septic service, minimize the impact on prime agricultural soils and existing adjacent land uses, and not create an unreasonable demand for additional public services including road maintenance, school busing, emergency services and law enforcement.

The “development rights” are purchased from landowners in the “sending area” by landowners in the “receiving area” in order to establish buildable residential lots. The “receiving” landowner would be required to rezone from Exclusive Agricultural zoning to a more appropriate zoning designation to allow for the development of a residential subdivision with a higher density.

Once the “development rights” for a piece of property have been transferred, the “sending area” would be required to record a restrictive covenant or conservation easement on the property to prevent further land divisions or development.

The Transfer of Development Rights Program is a voluntary program. It is meant to compliment the Town’s existing Exclusive Agricultural zoning designation as well as other alternatives like “Purchase of Development Rights” and “Clustering” programs explained below. It is not the intent of the Town of Sumpter to replace Exclusive Agricultural zoning, ie the ability to construct a new residence on 35 acres or more, with the Transfer of Development Rights program. It also must be pointed out that the use of TDR is not an automatic right, but must receive approvals from both the Town of Sumpter and the Sauk County Board of Supervisors based on a recommendation by the Planning, Zoning and Land Records Committee.